

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

VANIKA ARRINGTON,

Plaintiff,

v.

ST. JOSEPH HOSPITAL,

Defendant.

CASE NO. 3:25-cv-05418-BHS-GJL

REPORT AND RECOMMENDATION

Noting Date: **August 29, 2025**

Plaintiff Vanika Arrington, proceeding *pro se*, initiated this 42 U.S.C. § 1983 action by filing an Application to Proceed *In Forma Pauperis* (“IFP”) and a Proposed civil rights Complaint. Dkts. 5, 5-2. On July 3, 2025, the Court reviewed and screened the Proposed Complaint under 28 U.S.C. § 1915A, declined to direct service, and ordered Plaintiff to show cause why this action should not be dismissed for failure to state a claim. Dkt. 6 (Show Cause Order). Additionally, the Court deferred decision on Plaintiff’s IFP Application (Dkt. 5) and advised Plaintiff that failure to respond to the Show Cause Order by the required deadline would be deemed a failure to properly prosecute and may result in a recommendation this action be dismissed. Dkt. 6 at 4.

1 The deadline for Plaintiff to respond to the Show Cause Order elapsed on August 4,
2 2025, with no response received from her. *See docket*. Accordingly, the undersigned
3 recommends that this action be **DISMISSED without prejudice** for failure to prosecute. It is
4 further recommended that Plaintiff's IFP Application (Dkt. 5) be **DENIED as moot**.

5 Pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), the parties
6 shall have fourteen (14) days from service of this report to file written objections. *See also* Fed.
7 R. Civ. P. 6. Failure to file objections will result in a waiver of those objections for purposes of
8 *de novo* review by the district judge, *see* 28 U.S.C. § 636(b)(1)(C), and can result in a waiver of
9 those objections for purposes of appeal. *See Thomas v. Arn*, 474 U.S. 140, 142 (1985); *Miranda*
10 *v. Anchondo*, 684 F.3d 844, 848 (9th Cir. 2012) (citations omitted). Accommodating the time
11 limit imposed by Rule 72(b), the Clerk is directed to set the matter for consideration on **August**
12 **29, 2025**, as noted in the caption.

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14 Dated this 14th day of August, 2025.

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16 A handwritten signature in black ink, appearing to read 'Grady J. Leupold', is written over a solid horizontal line.

17 Grady J. Leupold
18 United States Magistrate Judge
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